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Comm. Amdt. _____
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**Amendment No. 1 to SB1293**

**Ramsey  
Signature of Sponsor**

**AMEND Senate Bill No. 1293**

**House Bill No. 928\***

by deleting Section 1 on the printed bill and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 4, Chapter 21, is amended by adding the following as a new part 11:

Section 4-21-1101. Preferences based on race, sex, color, ethnicity or national origin.

(a) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting.

(b) For the purposes of this section, "state" shall include, but not necessarily be limited to, the state itself, any city, county, municipality, public university system, special school district, or any other political subdivision or governmental instrumentality of or within the state.

(c) This section shall apply only to action taken after the act's effective date.

(d) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex, which are reasonably necessary to the normal operation of public employment, public education or public contracting.

(e) Nothing in this section shall be interpreted as prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the state.

(f) Nothing in this section shall be interpreted as invalidating any court order or consent decree that is in force as of the effective date of this act.

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(g) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity or national origin, as those stated in Tennessee Code Annotated, Sections 4-21-306 and 4-21-311(a) and (b), all of which shall be in addition to any other remedies contained in this chapter.

(h) The court may award punitive damages to the plaintiff in addition to the other relief specified in this section and in this chapter.

(i) A civil cause of action under this section shall be filed in chancery court or circuit court within one (1) year after the alleged discriminatory practice ceases.

(j) This section shall be self-executing. If any part or parts of this act are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining portions of this act.